

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

12 STEVEN DERRICK IRVIN,) NO. CV 03-2565-AHS (CW)
13 Plaintiff,)
14 v.) ORDER ACCEPTING REPORT AND
15 LEROY D. BACA, et al.,) RECOMMENDATION OF UNITED STATES
16 Defendants.) MAGISTRATE JUDGE

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18 Pursuant to 28 U.S.C. § 636(b)(1)(C), the court has reviewed the
19 entire record in this action, as well as the Report and Recommendation
20 of the United States Magistrate Judge. No objections to the Report
21 and Recommendation have been received.

22 **IT IS ORDERED:**

- 23 (1) that the Report and Recommendation of the United States
24 Magistrate Judge be accepted;
25 (2) that Defendants' motion for summary judgment (docket no. 142,
26 filed August 11, 2008) be granted in part and denied in part;
27 (3) that summary judgment be granted, as to all claims, in favor of
28 Defendants Baca, Savidan, Martinez, Garcia, Schrader, Ryan,

1 Sandoval, Fong, Hart, and Morgan;
2 (4) that summary judgment be denied, without prejudice, with respect
3 to Defendants Goff, Azteca, Villasenor, and Itani;
4 (5) that summary judgment be denied, without prejudice, as to COAs 1
5 and 6, and granted as to all other claims, with respect to
6 Defendants Franklin and Browne; and
7 (6) that all claims against non-appearing Defendants Baker, Saleeby,
8 Mushinskie, Naranjo, Suzuki, Bisaha, Kowaltschuk, Macias, Lomus,
9 and Rodriguez be dismissed for failure to state a claim.

10 **IT IS FURTHER ORDERED** that the clerk shall serve this order on
11 the parties.

12 FEB 28 2011

13 DATED: _____

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16 ALICEMARIE H. STOTLER
17 United States District Judge

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